

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1.25. Administrative Procedures–Hearings

Article 2. Administrative Hearing Procedures for Petitions for Review of Executive Officer Decisions

Subarticle 4. Filing and Initial Review of Petitions for Review and Executive Officer's Response

§ 60055.19. Executive Officer Response to Petition.

Within ten days after issuance of the hearing officer determination that a hearing is required or ten days after a petition has been amended, the executive officer shall file with the hearing officer and serve upon the petitioner a response to the petition. The response shall contain the reasons for and the facts in support of the decision of the executive officer under review. If a petition for review raises claims or issues in a manner that is so vague or ambiguous that the executive officer cannot reasonably be expected to respond, the executive officer may, within the time allotted for responding, move that the hearing officer require a more definite statement of matters covered in the petition for review. If such motion is granted, the petitioner shall comply within ten days of issuance of the order of the hearing officer.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: *Mathews v. Eldridge*, 424 U.S. 319 (1976); and Section 43105, Health and Safety Code.

REFERENCE